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| F. C.                              | Application Number                                | 09/986346 08/08 CENTRAL FAX O   |
| FACSIMILE  | Filing Date                                       | November 8, 2001 APR 0 7 2  |
| TRANSMITTAL<br>FORM  | First Named Inventor                              | Bowers, John L.   |
| FURM   | Art Unit  | 3753  |
|  | Examiner Name                                     | John A. Rivell  |
| Fax: 703-872-9306  | Attorney Docket Number                            | 54135US011  |
| Total Number of Pages in Th  | ls Submission: 25                                 |   |
| Date: April 7, 2005  | Attorney for Applicant: Ka                        | rl G. Hanson  |
|  | ENCLOSURES<br>(check all that apply)              |   |
| ☐ Fee Transmittel Form ☐ Issue Fee Transmittel ☐ Amendment Transmittel | Petition  | Appeal Communication to Board of Appeals and Interferences                          |
| Amendment/Repty After Final Affidavits/Declaration(s)                  | Petition to Convert a Provis Application          | ional Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief) |
| Extension of Time Request  | Power of Attorney, Revoca                         | tion  |
| Express Abandonment Request  | Change of Correspondence<br>Address               | Status Letter   |
| information Disclosure<br>Statement                                    | Terminal Disclaimer                               | Other Enclosures:   |
| Response to Missing Parts/<br>incomplete Application                   | Request for Refund                                | 0   |
| Response to Missing<br>Parts under 37 CFR §<br>1.52 or 1.53            | Request for Continued<br>Examination (RCE) Transn | nittal  |
| ☐ Drawings   | After Allowance Communication to Technological    | ology   |

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Docket No.: 54135US011

32692

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Mail Stop RCE

#### Request for Continued Examination (RCE) Transmittal

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 First Named Inventor: Bowers, John L. 09/986346- DC Application No. : Group Art Unit: Filed: November 8, 2001 Examiner: John A. Rivell Title: UNI-DIRECTIONAL FLUID VALVE This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application. Submission required under 37 CFR § 1.114 Previously submitted Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered) Consider the arguments in the Appeal Brief or Reply Brief previously filed on Other Ø Enclosed  $\Box$ Amendment/Reply ii Affidavit(s)/Declaration(s) Information Disclosure Statement (IDS)/Supplemental IDS Other 2. A Request for Extension of Time is being filed concurrently 3. Fees (The RCE fee under 37 CFR & | .17(e) is required by 37 CFR & 1.114 when the RCE is filed.) The Director is hereby authorized to charge the following fees or credit any overpayments to: Deposit Account No. 13-3723. A duplicate conv of this letter for fees processing is enclosed. RCE fee required under 37 CFR § 1.17(e) Other Respectfully submitted. April 7, 2005 Karl G. Hanson, Reg. No.: 32,900 DUPLICATE Telephone No.: (651) 736-7776 Office of Intellectual Property Counsel 3M Innovative Properties Company Facsimile No.: (651) 736-3833 Certificate of Mailing or Transmission I certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-

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Docket No.: 54135US011

# 32692

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Request for Continued Examination (RCE) Transmittal

| Commissioner for Patents P.O. Box 1450 Alexandris, VA 22313-1450  |   |
|---|---|
| First Named Inventor: Bowers, John L. 997986346 08   \$\phi \Bar{B} \Ba | Pentor: Bowers, John L.  99/986346 og   Galagaa Group Art Unit: 3753 November 8, 2001 RECTIONAL FLUID VALVE est for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified  required under 37 CFR § 1.114  viously submitted Consider the amendment(s) referred to above will be entered) Consider the arguments in the Appeal Brief or Reply Brief previously filed on (Any unentered amendment(s) referred to above will be entered) Comider the arguments in the Appeal Brief or Reply Brief previously filed on Other  Information Disclosure Statement (IDS)/Supplemental IDS Other  est for Extension of Time is being filed concurrently CR fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.) cctor is breiby authorized to charge the following fees or credit any overpayments to: posit Account No. 13-3723. A duplicate copy of this letter for fees processing is enclosed.  E for required under 37 CFR § 1.17(e)  Respectfully submitted,  By:  Karl G. Hanson, Reg. No.: 32,900  Telephone No.: (651) 736-7776  Telephone No.: (651) 736-7776  Certificate of Mailing or Transmission  at this correspondence is being deposited with the United States Postal Service as First Class |
| (Any unentered amendment(s) referred to above will be entered)   ii.   Consider the arguments in the Appeal Brief or Reply Brief previously filed on     iii.   Other     Enclosed   Amendment/Reply     ii.   Affidavit(s)/Declaration(s)     iii.   Information Disclosure Statement (IDS)/Supplemental IDS   |   |
| A Request for Extension of Time is being filed concurrently     Pees (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)     Deposit Account No. 13-3723. A duplicate copy of this letter for fees processing is enclased.     CE fee required under 37 CFR § 1.17(e)     Direction of the CFR  |   |
| Respectfully submitted,   |   |
| Date Karl G. Hanson, Reg. No.: 32,900<br>Telephone No.: (651) 736-7776  |   |
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32692

Case No.: 54135US011

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:

BOWERS, JOHN L.

Application No.:

09/986246 06135682

Group Art Unit:

Filed:

November 8, 2001

John A. Rivell Examiner:

UNI-DIRECTIONAL FLUID VALVE Title:

### INFORMATION DISCLOSURE STATEMENT

|  | CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]   |
|--|--|
|  | I hereby certify that this correspondence is being:  |
| Mail Stop: Amendment<br>Commissioner for Patents | deposited with the United States Postal Service on the date shown below with<br>sufficient postage as first class mail in an envelope addressed to: Commissioner for<br>Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |
| P.O. Box 1450<br>Alexandria, VA 22313-1450       | ☐ transmitted by facsimile on the date shown below to the United States Saternt and Trademark Office at (703) 872-9304  April 7 2005   |

Dear Sir:

In accordance with the continuing duty of candor and good faith that is to be demonstrated before the United States Patent and Trademark Office, applicants submit copies of Answers in the civil litigation between the 3M Company and the 3M Innovative Properties Company ("3M") and Moldex-Metric, Inc. and the Louis M. Gerson Co., Inc. In both lawsuits, the defendants, Moldex-Metric, Inc. and the Louis M. Gerson Co., Inc. have filed Answers to the Complaints filed by 3M. In so doing, Moldex has filed counter-claims for a declaratory judgment of noninfringement and invalidity of U.S. Patent RE 37,974 to Bowers and U.S. Patent 6,843,248 to Japuntich et al. Moldex contends that each of these patents are invalid under 35 USC § 102 and 35 USC § 103. Moldex also asserts that both patents are invalid for "containing a specification and claims which do not meet one or more of the requirements of 35 USC § 112, i.e., written description, enablement, best mode, and definiteness."

The Louis M. Gerson Company also asserts that the claims of the '974 patent are invalid under 35 USC § 101, 35 USC § 112, and/or § 251 and under 35 USC §§ 102 and 103.

Please contact applicants' attorney if the Examiner desires more information regarding the defenses raised by each of the defendants.

Respectfully submitted,

|               | midle                            |
|---------------|----------------------------------|
| April 7, 2005 | Karl G. Hanson, Reg. No.: 32,900 |
| Date          | Telephone No.: (651) 736-7776    |

Office of Intellectual Property Counsel 3M Innovative Properties Company Facsimile No : 651-736-3833

Substitute for form 1449A/PTO (modified)

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Page 1 of 1

| 09/986946<br>OR (10133)<br>November 8, 2001 |
|---|
|   |
| Bowers, John L.                             |
| 3753  |
| John A. Rivell                              |
| 54135US011                                  |
|   |

|                 | U.S. Patent Documents |                                  |   |                                |   |  |  |
|-----------------|-----------------------|----------------------------------|---|--------------------------------|---|--|--|
| Exem.<br>Init.* | Cite                  | Document Number                  | Publication Date or<br>Issue Date<br>MM-DD-YYYY | Name of Patentee               | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |  |  |
|                 | No.                   | Dac. Number-(Kind Code if Known) |   | or Applicant of Ciled Document |   |  |  |
|                 | A1                    | US-                              |   |                                |   |  |  |
|                 | A2                    | US-                              |   |                                |   |  |  |
| -               | A3                    | US-                              |   |                                | 1   |  |  |
|                 | A4                    | US-                              |   | 0                              |   |  |  |
|                 | A5                    | US-                              |   |                                |   |  |  |
|                 | A6                    | US-                              |   |                                |   |  |  |
|                 | A7                    | US-                              | 3   |                                |   |  |  |
|                 | A8                    | US-                              | - 1   |                                |   |  |  |
|                 | A9                    | US-                              |   |                                | ×   |  |  |

#### **Foreign Patent Documents**

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|--|---------------|-------------------------|---------------------------|------------------|-----------------------------|---|----------------|
| Exem.<br>Init.*  | Cities<br>No. | Foreign Patent Document |                           | Publication Date | Name of Patentee or         | Pages, Columns, Lines,<br>Where Relevent Passages | Translation    |
|  |               | Ctry. Code              | Number-KindCode (# known) | MM-DD-YYYY       | Applicant of Cited Document | or Relevant Figures Appear                        | (Check If yes) |
|  | 81            | -                       |                           |                  |                             |   |                |
|  | B2            |                         |                           |                  |                             |   |                |
|  | B3            |                         |                           |                  |                             |   |                |
|  | B4            |                         | V                         |                  |                             |   |                |
|  | 85            |                         |                           |                  |                             |   |                |
|  | B6            |                         |                           |                  |                             |   |                |
|  | B7            |                         | 1 1 2                     |                  |                             |   |                |

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|-----------------|-------------|--|-------------------------------|
| -               | C1          | Moldex's Answer to Second Amended Complaint and Counterclaims (3M Company and 3M Innovative Properties Company v. Moldex-Mortic, inc., Civil Action No. 03-5292 MJD/JGL, United States District Court for the District of Minnesotal                               |                               |
|                 | C2          | Louis M. Gerson Company, Inc.'s Answer and Counterclaims to Plaintiffs' Amended Complaint (3M Innovative Properties Company and 3M Company v. Louis M. Gerson Co., Inc., Civil No. 05-CV-28 (MJD/JGL), United States District Court for the District of Minnesota) |                               |
| 7               |             |  |                               |

#### Examiner:

Date Considered:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.